

medley
11.9

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Monsanto Company
c/o Mr. Brent J. Gilhousen, Esq.
800 N. Lindberg Blvd.
St. Louis, Missouri 63166

Re: Medley Site
County Road 72 (Burnt Gin Road)
Gaffney, S.C.

Dear Mr. Gilhousen:

In our letter to you dated October 25, 1983, we brought to your attention the fact that 55 gallon drums bearing the ~~Monsanto~~ ^{Monsanto} logo and identifying markings were discovered by EPA's On Scene Coordinator at the abandoned Medley site in Gaffney, South Carolina. We now ask your cooperation in identifying the contents of these barrels. Specific information about the original contents of these barrels may greatly assist in determining whether further EPA action is indicated with respect to your company or whether other potentially responsible parties are worthy of increased EPA attention.

Should you, from the information provided, be unable to ascertain the exact contents of the barrels in question, we encourage you to make an educated guess. However, if, at the end of your document search, such a guess is deemed impracticable, EPA requests that you provide, as a procedural measure to formalize your compliance with EPA's information request, an affidavit which substantiates the fact that such information is lacking. The affidavit should indicate that a diligent search of your records has been conducted and that all relevant information discovered in that search, if any, is being presented to EPA.

Under the provisions of Section 104 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. §9604, and Section 3007 of the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. §6927, as amended by the Solid Waste Disposal Act Amendments of 1980 and the Hazardous and Solid Waste Amendments of 1984, the Administrator of the EPA has the authority to require any person who generates, stores, treats, transports, disposes of, or otherwise handles

Macfarlane Johnson Bennett Cole Smith Devine
Rm 5/27
ALVIN LENOIR/wa/5-21-85

Ed

By 5/24

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or has handled hazardous waste and substances to furnish information related to such waste and substances. Pursuant to these statutory provisions, you are hereby requested to provide the following information within three (3) weeks from the date of your receipt of this letter:

1. Do the markings "NF086"; "48"; "4877-18"; or "Net 435" correspond with any product(s) currently produced or previously produced by your company or any of its affiliates?
2. If your answer to Question #1 is "yes", describe the chemical composition of this product(s) and any potential industrial or commercial uses to which it might be put.
3. Do the markings as described in Question #1 provide sufficient data to enable your company to identify any potential users of this product(s)?
4. If your answer to Question #3 is "yes", provide as complete a list of potential industrial and commercial consumers located within the State of South Carolina as your records will allow.
5. Indicate the degree to which the parties listed as consumers in Question #4 purchased your product(s) over the period from 1969 through 1976.
6. To the best of your knowledge, were any of the parties as consumers listed in Question #4 engaged in any production or manufacturing processes which would have generated hazardous chemical or industrial wastes or other hazardous substances? If so, who are they?

The responses to the questions posed above must be sent to the address listed below within three (3) weeks from the date of your receipt of this letter.

Mr. Kirk Macfarlane
Assistant Regional Counsel
U.S. Environmental Protection Agency
345 Courtland St., N.E.
Atlanta, GA 30365
(404) 881-2641

Under Section 3008 of RCRA, 42 U.S.C. §6928, failure to comply with this request may result in an order assessing civil penalties and requiring compliance. Failure to comply with this request under Section 104 of CERCLA may result in a civil enforcement action brought against you by EPA.

For any portion of the information revealed above which is entitled to confidential treatment by EPA, please assert a business confidentiality claim in accordance with 40 C.F.R. §2.203(b). If EPA determines that the information claimed to be confidential meets the criteria in 40 C.F.R. §2.200, then such information will be disclosed by EPA only to the extent and by the procedures specified in 40 C.F.R. Part 2, Subpart B. EPA will construe your failure to furnish a confidentiality claim with response to this letter as a waiver of a confidentiality claim, and the information may be made available to the public by EPA without further notice to you.

Please direct any technical questions that you may have to either Mr. Macfarlane or Ms. Giezelle Bennett at (404) 881-2930.

Thank you for your prompt attention to this matter.

Sincerely,

/s/ Thomas W. Devine

Thomas W. Devine
Director
Waste Management Division

bcc: Giezelle Bennett

Larry Weiner
OWPE-WH-527

P-581 502 168

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL

(See Reverse)

★ U.S.G.P.O. 1983-403-517

PS Form 3800, Feb. 1982

Sent to Mr. Brent J. Gilhausen, Esq	
Street and No. 800 N. Lindberg Blvd	
P.O., State and ZIP Code St. Louis, Missouri 63166	
Postage	Re: Medley Site
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to whom and Date Delivered	
Return receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	\$
Postmark or Date	

**STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE,
CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (see front)**

1. If you want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article leaving the receipt attached and present the article at a post office service window or hand it to your rural carrier. (no extra charge)

2. If you do not want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, date, detach and retain the receipt, and mail the article.

3. If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.

4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.

5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.

6. Save this receipt and present it if you make inquiry.

PS Form 3811, July 1983 447-845

SENDER: Complete items 1, 2, 3 and 4.

Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for service(s) requested.

1. ☒ Show to whom, date and address of delivery.
2. ☐ Restricted Delivery.

3. Article Addressed to: *Monsanto Company*
c/o Brent G. Silkenwer, Esquire
800 N. Lindbergh Blvd.
St. Louis, Missouri 63166

4. Type of Service:	Article Number
<input type="checkbox"/> Registered <input checked="" type="checkbox"/> Certified <input type="checkbox"/> Express Mail	<input type="checkbox"/> Insured <input type="checkbox"/> COD <i>P581 501 832</i>

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature - Addressee

X *A. Silkenwer*

6. Signature - Agent

X

7. Date of Delivery

8-8-85

8. Addressee's Address (ONLY if requested and fee paid)

MONSANTO COMPANY
800 NORTH LINDBERGH BLVD.
ST. LOUIS, MISSOURI 63167

DOMESTIC RETURN RECEIPT

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete Items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.



PENALTY FOR PRIVATE
USE, \$300

**RETURN
TO**



Kirk MacFarlane
ORC 1st Floor

ENVIRONMENTAL PROTECTION AGENCY
REGION IV
345 COURTLAND STREET N.E.
ATLANTA GA 30365